

**COUNCIL WORK SESSION
MONDAY, JUNE 7, 2010**

6:00 P.M. PROMPT

DINNER AT 6:00 P.M.

- DISCUSSION OF AGENDA
- DISCUSSION OF MOVING JULY 12 MEETING TO JULY 19 – City Manager Hank Angelo
- CITY MARKETING PLAN – Mike Mallis
- CAPITAL IMPROVEMENTS – City Manager Hank Angelo
- **EXECUTIVE SESSION** – Personnel

***** Public Hearing for Tax Budget at 7:00 p.m. *****

Bedford, Ohio

June 7, 2010

Bedford City Council met in a work session at Bedford City Hall on Monday, June 7, 2010 at 6:00 p.m.

Present: Council Members: Mayor Dan Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizesak, Greg Pozar, Don Saunders. Also Present: Clerk of Council Kathleen Lynch. Administration: City Manager Henry Angelo, Law Director Ken Schuman, Fire Chief Dave Nagy, Service Director Clint Bellar, Economic Development Director Mike Mallis and City Engineer Joe Ciuni.

Mayor Pocek began the Work Session with the discussion of the Regular Meeting agenda.

Mr. Angelo said all of the ordinances under old business concerning repairs on city owned homes could be passed tonight with the exception of Ordinance No. 8619-10. He requests that this ordinance be put on second reading.

Mr. Schuman said Resolution Nos. 2418-10 and 2419-10 are part of the annual tax budget. Mr. Gambosi is at a conference but said these two should be passed so they can be turned into the County.

A discussion took place on the City's housing program. Mr. Angelo said a review board consisting of him, Mr. Gambosi, Mr. Mallis and Mr. Seyboldt will begin meeting to go over the estimates received on the work that needs to be done on the houses.

Councilman Pozar said the City received a \$500,000 grant for homes in the Presidential District and is only using it on 4 houses, \$125,000 per house seems like a lot.

Mr. Mallis said Mr. Seyboldt turned in the grant application with those four homes detailed. There has been one other City that has gone back to the County to adjust their original proposal. The City's did not include demolition or purchasing more than those four homes.

Mr. Angelo said some of the work has been taken off the list of items to complete. Mr. Schuman said Mr. Seyboldt is the only one assessing these houses, and is the one that knows exactly what is needed. The purpose of this program was to stop blight in the neighborhoods.

Mr. Pozar said wouldn't it be better to utilize the \$500,000 grant to purchase three or four more houses and only put "x" amount of money into each. The program has evolved differently than he believes it was meant to, it should correct the problems.

Mr. Mallis said the City could look into restructuring the original parameters of the \$500,000 grant. Mr. Pozar asked if more grant money would be available after this initial one. Mr. Mallis said there could be.

Mr. Angelo said this discussion would be continued at a later date. The program has been set up by Mr. Seyboldt and will proceed as originally intended.

Ordinance Nos. 8626-10 and 8627-10 are both nuisance ordinances. Mr. Angelo said the work required to bring the properties up to code is detailed in the letter attached by Mr. Seyboldt.

Mr. Angelo said Ordinance No. 8628-10 is for the purchase of a new loader/backhoe for the Service Department. It was budgeted this year.

Ordinance No. 8629-10 is to sell the home at 97 Flora for \$100,000.

Mr. Schuman said Ordinance No. 8630-10 is the first step in the bond process, for the capital improvements that the City will be borrowing money to complete. Further discussion on this issue will be discussed later in the Work Session.

Resolution Nos. 2420-10 through 2428-10 are the recommendations of the Charter Review Committee. These were discussed at the previous meeting, there were no further questions on this issue.

Resolution No. 2429-10 is required as part of the Jobs Ready Site grant application. Mr. Mallis said the State needed legislation from the City indicating it would still provide water and sanitary sewer service to Tinker's Creek Commerce Park..

Discussion of the Regular Meeting Agenda was concluded.

The next item on the agenda was to discuss moving the Council Meeting from July 12 to July 19. Mr. Angelo indicated that Mr. Gambosi had asked that the meeting be moved a week later. There were no objections, the meeting will be moved to July 19, 2010.

At this time, members of Council and the Administration adjourned to conduct the Public Hearing for the proposed tax budget.

Work Session continued with the discussion of Capital Improvements. Mr. Angelo said the City would be borrowing approximately \$5.1 million dollars to complete several different tasks in the City. Those included would be 14 different streets, a new ambulance and a new front end loader. The general fund, water fund, wastewater fund and the ambulance fund is where the money will be taken to pay the money back.

Mr. Schuman said the water fund has a debt of \$140,000 that will be falling off in 2013 and the wastewater has a larger debt falling off in 2014. The concern is with the general fund. The general fund will absorb \$71,000 per million, approximately \$140,000 per year to pay back the debt. The City has not done any streets since 1999 and it will get increasingly more expensive the longer the City waits. Mr. Schuman said the bonds being used are Build America Bonds. The Federal Government pays back some of the interest on these types of bonds. It is the best and cheapest time to borrow money. Mr. Schuman said with the City just having passed the 8.9 mill levy, the City is in a better position to borrow money. The interest rates are the lowest they have been and will be right now.

Mr. Schuman said that in 2014 an \$850,000 debt will fall off of the wastewater fund. Councilman Saunders said the water mains need to be repaired.

Councilman Pozar asked if the investment is callable. Mr. Schuman said yes it callable after 10 years.

Mr. Pozar asked Mr. Bellar if there was anything else he would want to see done. Mr. Bellar trusts Mr. Gambosi's analysis and thinks what will be done is a good move.

Mr. Schuman said the collateral for the loan is the general fund. Mr. Angelo said the package of improvements has been completed.

Councilman Pozar asked Mr. Ciuni if he was comfortable with the improvements scheduled to be done. Mr. Ciuni would like to do more water lines, but thinks the improvements that will be made are what needs to be done now.

Mr. Schuman asked Mr. Ciuni how the bids would be done. Mr. Ciuni said the bid will be for all 14 streets.


Councilwoman Zolata asked Chief Nagy about the squad and if this was shared with Maple Heights. Chief Nagy said no, the squads are not being shared. Chief Nagy discussed the importance of a new squad. With all of the advances in the industry, it is important to stay on top of those.

There were no further questions or discussions at this time. All members of Council were in agreement to proceed with the bond issue for these capital improvements.

The last item to be discussed on the agenda was the prospective city marketing campaign. Mr. Mallis said Impact Group, which did the work on the City's Safety Levy, does marketing campaigns as well. The first item discussed was the City's website, there is no cohesion and it is 11 years old. Mr. Mallis spoke with Mr. Tom Speaks about redesigning our website and the cost would be \$50,000. Mr. Mallis told Mr. Speaks that is not something the City can do at this time. However, they did discuss a marketing plan, to establish a brand, with every department using the same thing. The proposal from Mr. Speaks would cost the City \$7,500 and will address five key areas for the City of Bedford. All members were in agreement to go forward with the proposal from Mr. Speaks.

At this time, Bedford City Council and Administration went into an executive session to discuss Personnel issues.

Work Session was adjourned at 7:50 p.m.


Clerk of Council


Mayor – President of Council

PUBLIC HEARING

BEDFORD CITY COUNCIL

DATE: JUNE 7, 2010

AGENDA

STATE OF OHIO

COUNTY OF CUYAHOGA

TIME: 7:00 P.M.

1. CALL TO ORDER —

2. ROLL CALL —

3. NEW BUSINESS —

a. Resolution No. 2418-10,

approving and accepting the proposed 2010 tax budget for
the year January 1, 2011 to December 31, 2011

4. ADJOURNMENT —

ST MF

Bedford, Ohio

June 7, 2010

Mayor Pocek called the Public Hearing to order at 7:00 P.M. The roll was called. Present: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak.

RESOLUTION NO. 2418-10, being a resolution approving and accepting the proposed 2010 Tax Budget for the year January 1, 2011 to December 31, 2011 and declaring an emergency placed on first reading May 17, 2010 was read by title only.

Mr. Schuman said there are three purposes for the budget. It sets the property tax rates for next year. It allows the City to receive Undivided Local Government and Local Government Revenue Assistance. It also allows the County Auditor to provide the City of Bedford with a certificate estimate of resource which limits the amount of money council can appropriate for the year 2011.

Mayor Pocek asked if there were any further questions for the Law Director. There being no reply, motion made by Saunders seconded by Mizesak to adjourn. The roll was called. Vote- Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Meeting adjourned at 7:03 P.M.


Clerk of Council


Mayor – President of Council

AGENDA

TIME: 8:00 P.M.

1. CALL TO ORDER 8:05p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL - all
4. APPROVAL OF MINUTES

- a. Approval of Minutes of the Ward Meeting of April 26, 2010 - K+P=all
- b. Approval of Minutes of the Ward Meeting of May 10, 2010 - 2+m=all
- c. Approval of Minutes of the Work Session of May 17, 2010 - B+K=all
- d. Approval of Minutes of the Regular Meeting of May 17, 2010 - st 2=all

5. OLD BUSINESS

- a. Ordinance No. 8614-10, authorizing the City Manager to enter into a contract with All Phase Service Company for various repairs at 741 Washington (\$3,000.00) – 1st reading – 05/17/10
- b. Ordinance No. 8615-10, authorizing the City Manager to enter into a contract with Tony Nero Cement for various repairs at 741 Washington (\$1,100.00) – 1st reading – 05/17/10
- c. Ordinance No. 8616-10, authorizing the City Manager to enter into a contract with Foam Crafters Insulation Company for various repairs at 741 Washington (\$6,817.00) – 1st reading – 05/17/10
- d. Ordinance No. 8617-10, authorizing the City Manager to enter into a contract with New Finish Painting & Decorating for various repairs at 741 Washington (\$14,690.00) – 1st reading – 05/17/10
- e. Ordinance No. 8618-10, authorizing the City Manager to enter into a contract with Cops Construction, Inc. for various repairs at 741 Washington (\$14,725.00) – 1st reading – 05/17/10
- f. Ordinance No. 8619-10, authorizing the City Manager to enter into a contract with Northeast Ohio Training Agency for various repairs at 741 Washington (\$11,250.00) – 1st reading – 05/17/10
- g. Ordinance No. 8620-10, authorizing the City Manager to enter into a contract with Dawncos Heating & Air Conditioning for various repairs at 741 Washington (\$5,455.00) – 1st reading – 05/17/10
- h. Ordinance No. 8621-10, authorizing the City Manager to enter into a contract with All Phase Service Company for various repairs at 775 Lincoln (\$7,200.00) – 1st reading – 05/17/10
- i. Ordinance No. 8623-10, authorizing the City Manager to enter into a contract with Foam Crafters Insulation Company for various repairs at 775 Lincoln (\$6,291.00) – 1st reading – 05/17/10
- j. Resolution No. 2418-10, approving and accepting the proposed 2010 Tax Budget for the year January 1, 2011 to December 31, 2011 – 1st reading – 05/17/10
- k. Resolution No. 2419-10, requesting the County Auditor to advance taxes from the proceeds of tax levies pursuant to Section No. 321.34 of the Revised Code of the State of Ohio – 1st reading – 05/17/10

6. REPORTS

- a. City Manager
- b. Law Director
- c. Finance Director
- d. Council Reports

7. NEW BUSINESS

- a. Ordinance No. 8626-10, declaring the property and structure located at 120 Broadway Avenue a nuisance and ordering action
- b. Ordinance No. 8627-10, declaring the property and structure located at 1275 Broadway Avenue a nuisance and ordering action
- c. Ordinance No. 8628-10, authorizing the purchase of one (1) Case 590 Super M, Series 3, loader/backhoe through the State Cooperative Purchasing Program (\$67,221.06)
- d. Ordinance No. 8629-10, authorizing the City Manager to execute a purchase agreement with Carla Morris selling the residence at 97 Flora Drive (\$100,000.00)
- e. Ordinance No. 8630-10, authorizing declarations of official intent under U.S. Treasury regulations with respect to reimbursements from proceeds of bonds, notes or other obligations of temporary advances made for payments prior to issuance, and related matters to provide for submission to the electorate the amendment of the second paragraph of Section 7 of Article II of the Charter of the City of Bedford pertaining to Meetings
- f. Resolution No. 2420-10, to provide for submission to the electorate the amendment of the second paragraph of Section 11 of Article II of the Charter of the City of Bedford pertaining to Conflict of Interest
- g. Resolution No. 2421-10, to provide for submission to the electorate the amendment of Article III, Section 2 of the Charter of the City of Bedford pertaining to Qualifications
- h. Resolution No. 2422-10, to provide for submission to the electorate the amendment of Article V, adding Section 9 of the Charter of the City of Bedford pertaining to Judicial Candidates
- i. Resolution No. 2423-10, to provide for submission to the electorate the amendment of Article VII, Section 5 of the Charter of the City of Bedford pertaining to Payment of Claims
- j. Resolution No. 2424-10, to provide for submission to the electorate the amendment of Article IX, Section 1 of the Charter of the City of Bedford pertaining to the Establishment of the Planning Commission
- k. Resolution No. 2425-10, to provide for submission to the electorate the amendment of Article IX, Section 3 of the Charter of the City of Bedford pertaining to the Board of Zoning Appeals
- l. Resolution No. 2426-10, to provide for submission to the electorate the amendment of Article IX, Section 6 of the Charter of the City of Bedford pertaining to the Board of Building Standards and Appeals
- m. Resolution No. 2427-10, to provide for submission to the electorate the amendment of Article X, Section 2 of the Charter of the City of Bedford pertaining to the Civil Service Commission Term
- n. Resolution No. 2428-10, resolution of intent authorizing the City of Bedford to continue to provide water and sanitary sewer service to Tinker's Creek Commerce Park
- o. Resolution No. 2429-10, resolution of intent authorizing the City of Bedford to continue to provide water and sanitary sewer service to Tinker's Creek Commerce Park

p. Motion to move the July 12 meeting to July 19 - 2010

8. HEARING OF CITIZENS

9. ADJOURNMENT

Bedford, Ohio

June 7, 2010

Bedford City Council met in regular session at Bedford City Hall on Monday, June 7, 2010. Mayor Pocek called the meeting to order at 8:05 P. M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak.

Motion made by Koci seconded by Pozar to approve the minutes of the Ward Meeting of April 26, 2010. The roll was called. Vote - Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Mizesak to approve the minutes of the Ward Meeting of May 10, 2010. The roll was called. Vote - Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Koci to approve the minutes of the Work Session of May 17, 2010. The roll was called. Vote - Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Zolata to approve the minutes of the Regular Meeting of May 17, 2010. The roll was called. Vote - Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Saunders to group Ordinances 8614-10, 8615-10, 8616-10, 8617-10, 8618-10, 8620-10, 8621-10 and 8623-10. The roll was called. Vote - Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8614-10, an ordinance authorizing the City Manager to enter into a contract with All Phase Service Company to make various repairs to the residence at 741 Washington Street in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only.

ORDINANCE NO. 8615-10, an ordinance authorizing the City Manager to enter into a contract with Tony Nero Cement to make various repairs to the residence at 741 Washington Street in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only.

ORDINANCE NO. 8616-10, an ordinance authorizing the City Manager to enter into a contract with Foam Crafters Insulation Company to make various repairs to the residence at 741 Washington Street in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only.

ORDINANCE NO. 8617-10, an ordinance authorizing the City Manager to enter into a contract with New Finish Painting & Decorating to make various repairs to the residence at 741 Washington Street in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only.

ORDINANCE NO. 8618-10, an ordinance authorizing the City Manager to enter into a contract with Cops Construction, Inc. to make various repairs to the residence at 741 Washington Street in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only.

ORDINANCE NO. 8620-10, an ordinance authorizing the City Manager to enter into a contract with Dawnco Heating & Air Conditioning to make various repairs to the residence at 741 Washington Street in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only.

ORDINANCE NO. 8621-10, an ordinance authorizing the City Manager to enter into a contract with All Phase Service Company to make various repairs to the residence at 775 Lincoln Boulevard in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only.

ORDINANCE NO. 8623-10, an ordinance authorizing the City Manager to enter into a contract with Foam Crafters Insulation Company to make various repairs to the residence at 775 Lincoln Boulevard in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only.

Motion made by Batten seconded by Mizesak to suspend the rule requiring the reading of said ordinances on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak,. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. 8614-10, Ordinance No. 8615-10, Ordinance No. 8617-10, Ordinance No. 8618-10, Ordinance No. 8620-10, Ordinance No. 8621-10 and Ordinance No. 8623-10 on third and final reading and passed.

Mr. Angelo said these ordinances are part of the Neighborhood Stabilization Program grant. The City will be reimbursed these costs through that program.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8619-10, an ordinance authorizing the City Manager to enter into a contract with Northeast Ohio Training Agency to make various repairs to the residence at 741 Washington Street in the City of Bedford and declaring an emergency placed on first reading May 17, 2010 was read by title only. Motion made by Zolata seconded by Koci to place Ordinance No. 8619-10 on second reading. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2418-10, being a resolution approving and accepting the proposed 2010 Tax Budget for the year January 1, 2011 to December 31, 2011 and declaring an emergency placed on first reading May 17, 2010 was read by title only. Motion made by Batten seconded by Koci to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Resolution No. 2418-10 on third and final reading and passed.

Mayor Pocek said this is the beginning of preparing the budget for 2011.

Mr. Schuman said this is the tax budget that essentially sets the property tax rate, allows the City to apply for local government funds, and to complete a certificate of estimated resources for 2011. This is not an appropriation of any money at this time.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2419-10, being a resolution requesting the County Auditor to advance taxes from the proceeds of tax levies pursuant to Section No. 321.34 of the Revised Code of the State of Ohio and declaring an emergency placed on first reading May 17, 2010 was read by title only. Motion made by Pozar seconded by Zolata to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Mizsak seconded by Saunders to place Resolution No. 2419-10 on third and final reading and passed.

Mr. Schuman said the City is required to do this so the County will advance the proceeds from property tax and levies to us.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

No report from the City Manager.

No report from the Law Director.

Mayor Pocek said the Finance Director is attending a conference tonight.

Mayor Pocek, his wife and Councilwoman Zolata attended the late Richard Kendierski's wake last night. Mr. Kendierski was a longtime Bedford resident and served the last ten years as the Grand Master of the Memorial Day Parade. There will be a proclamation to the family in honor of his service to our community. He was a photographer for the Cleveland Plain Dealer and a great guy, he will be missed.

Councilman Saunders said with school being let out this week, there will be juveniles in the neighborhoods. It is the hope that the City keeps tabs on the curfew and to keep the neighborhoods patrolled.

Councilman Pozar said tonight's agenda is full because of the resolutions from the Charter Review Commission. He wanted to point out that government functions silently, efficiently and without cost sometimes. Mr. Pozar thanked those that donated their time and efforts to update our Charter. These issues in our Charter needed to be brought up to date and or changed. He recommends to Council that those people be acknowledged with a plaque that can be put on the wall for their efforts.

Mr. Schuman said the process for most cities is a painstaking, lengthy process and often not very effective. There are members in the audience tonight from the Charter Review Commission, Lori Laffin was the Secretary, Dick Bender and Helen Briggs. There were four meetings, they came up with nine or ten amendments that will be beneficial to the Charter. They all took their job very seriously. It makes his job as Law Director that much easier to get the information to the Board of Elections and on the ballot.

Councilwoman Mizsak said everyone takes life for granted and thank you is not used enough today. She wanted to thank our animal warden. There is a raccoon in her area that was picked up in a trap set by the animal warden and it was already rabid. They do such a good job.

Councilwoman Zolata received a message on her voicemail from a resident of Walton Hills complimenting the City on the Memorial Day Parade, the condition of the grounds and cemetery. She called Hank to let him know, it was a wonderful compliment to our City. The Service Department does a great job with making sure everything looks as good as it can. It was a wonderful, solemn event. Mr. Kendierski was part of making it the way it is today.

Councilman Koci thanked the members of the Charter Review Commission, they did a really good job with this. The Chalk Art Day was this past Saturday, there were about 70 people that came to participate, the rain didn't help but it was a good time. Every year it is getting bigger and better. The Weekend of the Pookah is coming up in September to honor Richard Sedlon. They are seeking donations for the event.

Mayor Pocek said this past weekend was the Rotary Rib Burn Off and it was John Whittaker's last one as coordinator of the event. He has done a tremendous job over the last 20 years.

Councilwoman Zolata said Councilman Batten is always working at all the events on the Square.

Motion made by Koci seconded by Zolata to add item "p" to the agenda in regards to the July 12, 2010 Council Meeting. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8626-10, an ordinance declaring the property and structure located at 120 Broadway Avenue (P.P. No. 812-02-012) a nuisance, ordering action and declaring an emergency was read by title only. Motion made by Batten seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Ordinance No. 8626-10 on third and final reading and passed.

Mr. Angelo said this is part of the process the City uses to push the property owners to clean their property up. This is the former BP Station at Rockside Road.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8627-10, an ordinance declaring the property and structure located at 1275 Broadway Avenue (P.P. No. 814-23-036) a nuisance, ordering action and declaring an emergency was read by title only. Motion made by Mizesak seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Koci to place Ordinance No. 8627-10 on third and final reading and passed.

Mr. Angelo said this property is house on Broadway Avenue, the people are in a nursing home unfortunately.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8628-10, an ordinance authorizing the purchase of one (1) Case 590 Super M Series 3 Loader/Backhoe, Index# STS515, Contract ID# 7751500807, through the State Cooperative Purchasing Program and declaring an emergency was read by title only. Motion made by Saunders seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Batten to place Ordinance No. 8628-10 on third and final reading and passed.

Mr. Angelo said this is an item that was placed in the 2010 budget, it is to replace a 1996 backhoe. Mayor Pocek said the mechanics at the Service Department do a great job of maintaining all of our equipment.

Councilman Koci said they will sell the old equipment to help also reduce the cost of the purchase.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8629-10, an ordinance authorizing the City Manager to execute a purchase agreement with Carla M. Morris selling the residence at 97 Flora Drive, Bedford, Ohio and declaring an emergency was read by title only. Motion made by Batten seconded by Koci to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Ordinance No. 8629-10 on third and final reading and passed.

Mr. Angelo said this is part of the HUD One Dollar Program, the purchase price is \$100,000. This was a County program so the monies were reimbursed.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8630-10, an ordinance authorizing declarations of official intent under U.S. Treasury regulations with respect to reimbursements from proceeds of bonds, notes or other obligations of temporary advances made for payments prior to issuance, and related matters, and declaring an emergency was read by title only. Motion made by Zolata seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Koci to place Ordinance No. 8630-10 on third and final reading and passed.

Mr. Schuman said the 8.9 mill levy that was passed in November essentially put the City at the even mark from our shortfall. The City has not done any capital improvements for a period of four years. Council has decided, with the recommendations from the Finance, Service and Economic Development Departments, the City will be resurfacing 13 streets, a couple of the public parking lots, sewer and water improvements. The total amount that the City will bond out, selling municipal bonds to raise the money, is approximately \$5 million. That will be split among the water, sewer and general funds. Mr. Schuman said this ordinance will allow the City to bid out the street project. This ordinance will allow the City to spend that money and are then permitted to reimburse ourselves from the bond proceeds. This requires Mr. Gambosi, Mr. Schuman and Mr. Angelo to go to Chicago in August to be rated by the rating agencies Moody's and Standard and Poors and after that they have to go to St. Louis to sell the bonds. Mr. Schuman said they are very appreciative that the residents passed this levy and this is a commitment Council has made to make significant improvements to the City.

Mayor Pocek said it is long overdue. It is the beginning of a serious capital improvement program. As the years go by in 2013 and 2014 some of the City's bond indebtedness incurred at the wastewater treatment plant will come to end, that is approximately \$840,000 per year. That will free up that amount of money and allow the City to attack the water and sewer lines in the City. The City has been encouraged by the bonding company that our bond rating is solid.

Mr. Angelo said one of the items in the capital improvement program is a rescue squad. The City will be replacing one that is currently in operation from 1998. This new one will have a number of very technical features that the one we are replacing does not have. Mr. Angelo said this will come out of the ambulance fund.

Mr. Schuman said the Safety Force Levy money goes directly to the safety forces, freeing up money for the City to borrow money for these other issues.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2420-10, a resolution to provide for submission to the Electorate of the amendment of the second paragraph of Section 7 of Article II of the Charter of the City of Bedford, Ohio pertaining to meetings and declaring an emergency was read by title only. Motion made by Batten seconded by Koci to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Resolution No. 2420-10 on third and final reading and passed.

Mr. Schuman said this amendment will reflect that not only regular meetings shall be open to the public but work sessions and special meetings too are open to the public.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2421-10, a resolution to provide for submission to the Electorate of the amendment of the second paragraph of Section 11 of Article II of the Charter of the City of Bedford, Ohio pertaining to conflict of interest and declaring an emergency was read by title only. Motion made by Mizesak seconded by Zolata to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Saunders, Zolata, Batten, Mizesak. Nays: Pozar, Koci. Motion carried.

Resolution No. 2421-10 will be placed on second reading at the next regular Council Meeting.

RESOLUTION NO. 2422-10, a resolution to provide for submission to the Electorate of the amendment of Article III, Section 2 of the Charter of the City of Bedford, Ohio pertaining to qualifications and declaring an emergency was read by title only. Motion made by Koci seconded by Batten to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Zolata, Batten, Koci, Mizesak. Nays: Saunders. Motion carried.

Motion made by Mizesak seconded by Zolata to place Resolution No. 2422-10 on third and final reading and passed.

Mr. Schuman said this strikes out the provision in the Charter requiring the City Manager to live in the City of Bedford. That requirement was eliminated by an Ohio Revised Code Section that was created by the legislature. Allow most would prefer that the City Manager live in the City of Bedford, the City cannot require them to do that per the Charter. Mr. Schuman said this has nothing to do with the current City Manager, he has made that clear numerous times. He is looking to buy a house in the City.

Mr. Angelo put his third bid on a house today.

The roll was called. Vote – Yeas: Pozar, Batten. Nays: Pocek, Saunders, Zolata, Koci, Mizsak. Motion failed.

RESOLUTION NO. 2423-10, a resolution to provide for submission to the Electorate of the amendment of Article V, adding Section 9 of the Charter of the City of Bedford, Ohio pertaining to judicial candidates and declaring an emergency was read by title only. Motion made by Saunders seconded by Koci to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Resolution No. 2423-10 on third and final reading and passed.

Mr. Schuman said this pertains to the Municipal Court. It states there will not be a primary election in regards to the judicial candidates.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2424-10, a resolution to provide for submission to the Electorate of the amendment of Article VII, Section 5 of the Charter of the City of Bedford, Ohio pertaining to payment of claims and declaring an emergency was read by title only. Motion made by Saunders seconded by Zolata to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Mizsak seconded by Saunders to place Resolution No. 2424-10 on third and final reading and passed.

Mr. Schuman said this section of the Charter gave the Director of Finance some requirements to monitor that are actually the function of the Law Department. Therefore, those provisions were eliminated in this section.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2425-10, a resolution to provide for submission to the Electorate of the amendment of Article IX, Section 1 of the Charter of the City of Bedford, Ohio pertaining to the establishment of the Planning Commission and declaring an emergency was read by title only. Motion made by Pozar seconded by Saunders to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Batten to place Resolution No. 2425-10 on third and final reading and passed.

Mr. Schuman said this establishes that the Planning Commission shall choose a chairperson on an annual basis.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2426-10, a resolution to provide for submission to the Electorate of the amendment of Article IX, Section 3 of the Charter of the City of Bedford, Ohio pertaining to Board of Zoning Appeals and declaring an emergency was read by title only. Motion made by Saunders seconded by Koci to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Resolution No. 2426-10 on third and final reading and passed.

Mr. Schuman said this also establishes that the Board of Zoning Appeals shall designate one of its members as chairperson on an annual basis.

Mayor Pocek said the next two resolutions also pertain to this provision. Mr. Schuman said yes, making it consistent throughout the Charter.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2427-10, a resolution to provide for submission to the Electorate of the amendment of Article IX, Section 6 of the Charter of the City of Bedford, Ohio pertaining to Board of Building Standards and Appeals and declaring an emergency was read by title only. Motion made by Zolata seconded by Batten to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Resolution No. 2427-10 on third and final reading and passed.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2428-10, a resolution to provide for submission to the Electorate of the amendment of Article X, Section 2 of the Charter of the City of Bedford, Ohio pertaining to the Civil Service Commission Term and declaring an emergency was read by title only. Motion made by Saunders seconded by Pozar to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Batten to place Resolution No. 2428-10 on third and final reading and passed.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2429-10, a resolution of intent authorizing the City of Bedford to continue to provide water and sanitary sewer service to Tinker's Creek Commerce Park and declaring an emergency was read by title only. Motion made by Mizesak seconded by Pozar to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Zolata to place Resolution No. 2429-10 on third and final reading and passed.

Mr. Angelo said the City has already agreed to this in writing from the City Manager's office as part of the Jobs Ready Site Grant application. The State of Ohio wanted confirmation that the City would continue to provide these services.

The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Saunders to reschedule the council meeting of Monday, July 12, 2010 to Monday, July 19, 2010. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Mayor Pocek said that concluded the business portion of the meeting and asked if in anyone in the audience had any comments.

Kathy Williams, 491 Lamson, said Mr. Schuman explained all of the resolutions for the Charter amendments except for Resolution No. 2421-10.

Mr. Schuman said this was an issue concerning the conflict of interest section. It said that no elected official in the City of Bedford should become or be appointed a full-time employee of the City within one year of leaving office. Some members of Council have an issue with the following provision that states "but Council for good and just cause may waive any of the violations of this section after hearing."

Jean Sapir, Branch Manager of the Southeast Branch of the Cuyahoga County Public Library, said the summer reading program has started, it is for all ages and the theme is Books Ahoy. There are weekly and monthly prizes, they encourage everyone to participate. Summer reading can help mitigate some of the brain drain that happens over the summer. Next Saturday afternoon from 1:00 p.m. to 2:00 p.m. Moondog, the Cavaliers mascot, will be at the Southeast Library. The Library will be participating in the Weekend of the Pookah festival with a special project called Poems on the Wind. Ms. Sapir is happy to announce that Sunday hours are going to be restored this fall. During the months of June and July there will be a career counselor on Wednesday afternoons from 2:00 p.m. to 5:00 p.m.

Sean Holland, 2567 Second Street, Cuyahoga Falls, said he and his wife were here to discuss the home purchasing program the City of Bedford has because of a situation they had. They put an offer in on the home at 91 Tudor on May 17, 2010. A week went by and they called and spoke with the person in charge of the program and were told that everything was a go. However, they could not get a purchase agreement and the other necessary documents to provide to their underwriter. The person from the City contacted their underwriter and told them more about the grant program/down payment assistance. They did their part, his wife just completed real estate classes so she is aware of the process. Mr. Holland said they were going to give their management company a 30 day notice to move into 91 Tudor. About four weeks into the process they were told that the paperwork was with the City Manager. They called the person they had been dealing with at the City and they found out that the manager had not even looked at the paperwork or was not even aware of it. They spoke with Mr. Seyboldt today and the only thing he could do for them was to apologize. Mr. Holland said an apology is not acceptable in this type of business when mistakes happen. They were emotionally connected during the buying process, they told their family about the home and were so excited about it. Mr. Seyboldt said it was too low of an offer. Mr. Holland said Leonette Cicirella, the woman they had been working with during this entire process, was aware of the amount they had been pre-approved for. She told them there was a program for them and that no offer is too low. They just wanted to make Council aware of the situation. He graduated from Bedford High School and worked in Bedford for five years at Tim Lally Chevrolet. He wanted to come back to the City, they loved the home at 91 Tudor and had the carpet pulled out from under them. They just wanted to voice their opinion.

Mr. Schuman asked for their names. It is Sean and Deborah Holland. Mr. Schuman asked if this was recently. Mr. Holland said they were told Friday.

Mr. Angelo asked what they were told was the delay. Mr. Holland said they were told the delay was getting the City Manager's signature on some paperwork. There was a closing date set for May 25, 2010 and because the underwriter didn't get what they needed the closing date had to be changed. She said they could move that to May 30, 2010.

Mr. Angelo asked who "she" was? Mr. Holland said Leonette Cicirella. Mr. Schuman asked if this was who they dealt with the whole time? Mr. Holland said yes and unfortunately they did not get return phone calls. The home buying process is so emotional and they felt it was not a very professional process.

Mr. Angelo said it is a terrible process because this is the first he has heard of it. He asked Mr. Holland to give him his phone number after the meeting and set up a time to come in and see him.

Mr. Schuman said it would be disheartening for both him and the City Manager. The fact is the program is designed to have people like Mr. Holland, that lived in Bedford and want to come back to Bedford. Mr. Schuman asked if they were the high bid on the house.

Mr. Holland said they were the only bid on the house. Mr. Schuman asked if they were sure of that fact and Mr. Holland said they were positive they were the only offer on the home.

Mr. Pozar said the process is for the City Manager to use his discretion to accept or reject a bid on a home.

Mr. Schuman said that is incorrect. It is up to Council for approval through an ordinance. Mr. Pozar said if a bid comes in and the City is looking at a \$95,000 break even point and the bid is under that than the bid would have to reconsidered and the City would have to go out again.

Mr. Schuman said that is correct. Mr. Pozar said if there was only one bidder why you were told this was a dead issue.

Mr. Holland said Mr. Seyboldt told them they were told no because the amount they bid on the house was for their pre-approval rate, which was \$75,000. They were aware this was a low bid, but they were informed to proceed by Leonette Cicirella because they were taking all offers because this was grant money and the City was not trying to make a profit. This is the conversation they kept receiving. They understand the difference is \$20,000 but it was implied to continue the process. They would have stopped the process in the first week if they had been told that is just too low of an offer. If Mr. Seyboldt would have told them what he said in his office in the beginning they would have not had any emotions involved. They are now emotionally involved and wanted to bring it to Council's attention.

Mr. Angelo is glad they came to the meeting. The process is changing where it will come to Council with the City Manager's recommendation as opposed to him signing off on the purchase agreement. The timeline would not have changed. Mr. Angelo wants to find out more information as to why this has happened, and he sympathizes with them. It is a terrible process.

Mr. Schuman said nothing should have delayed the process.

Mayor Pocek asked if there were any further comments. There being no reply, motion made by Koci seconded by Saunders to adjourn. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Meeting adjourned at 9:05 P.M.


Clerk of Council


Mayor – President of Council